

CONFIDENTIAL SETTLEMENT DOCUMENT  
SUBJECT TO FEDERAL RULE OF EVIDENCE 408

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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**In Re: Methyl Tertiary Butyl Ether ("MTBE")  
Products Liability Litigation**

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**Master File No. 1:00 – 1898  
MDL 1358 (SAS)  
M21-88**

**This document relates to:**

**ORDER OF DISMISSAL  
WITH PREJUDICE**

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*Tonneson, et al. v. Sunoco, Inc., et al.*, 03 Civ. 8248

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The Plaintiffs in the above-captioned case, as set forth in Attachment A, and Defendants Mobil Corporation and Exxon Mobil Corporation f/k/a Exxon Corporation (collectively, "ExxonMobil") have advised the Court that they have resolved the matters between them pursuant to a Settlement Agreement, and Plaintiffs now move without opposition for the entry of this agreed upon dismissal of all claims of any kind, pending against ExxonMobil with prejudice, except those expressly excluded in the Settlement Agreement. The Court finds that the motion for dismissal of ExxonMobil with prejudice from this action should be granted and that:

IT IS THEREFORE ORDERED, ADJUDGED AND DECREED as follows:

1. The Plaintiffs and ExxonMobil have advised the Court that they have resolved the matters between them pursuant to a Settlement Agreement and a Release.
2. Pursuant to the Settlement Agreement, the settling parties consent to the dismissal with prejudice of ExxonMobil from this action.
3. No other parties have objected to the dismissal of the above-captioned action with prejudice as to ExxonMobil only.

4. Therefore, this action, including all claims, counterclaims, and cross-claims of any kind.  
is hereby dismissed with prejudice as to ExxonMobil.

ENTERED this 16 day of June 2009:

  
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Honorable Shira A. Scheindlin

**ATTACHMENT A**

<i>Tonneson et al. v. Sunoco et al. 03 Civ. 8248</i>
<b><u>PLAINTIFFS</u></b>
Boyce, Donna
Burley, Anna Burley, Thomas
Gee, Edwina Gee, Robert
Gibney, Denise
Hannigan, Charles Hannigan, Patricia
Hay, Ian Hay, June
Hubeny, Anna Hubeny, William
Stanley, Theresa, née Mott
Tonneson, David Hudson Highlands Realty Restoration
Zervas, JoAnn Zervas, John